

Filed: April 9, 2007
Staff: Trever Parker
Staff Report: June 8, 2007
Hearing Date: June 20, 2007
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2007-03

APPLICANT (S): Marilyn Sterling

AGENT: NA

PROJECT LOCATION: 381 Ocean Ave.

PROJECT DESCRIPTION: Design Review and Coastal development Permit to construct a single-story addition of a 378 s.f. family room to an existing 1,898 s.f., residence on a 6,000 sq. ft. lot.

ASSESSOR'S PARCEL NUMBER: 042-062-14

ZONING: UR – Urban Residential

GENERAL PLAN DESIGNATION: UR – Urban Residential

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15301 of the CEQA Guidelines exempting alterations and additions to existing structures.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is **X** **is not** appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the east side of Ocean Avenue with access both from Ocean and an alley in the rear. The site is bordered by other residential development on the north, east and west; the Pacific Bell switching station is located to the south. The 6,000 s.f. lot is currently developed with a 1,298 sq.ft. single-story residence and a 600 sq. ft. detached garage / caretaker's residence for a total of 1,898 sq. ft. The lot is generally flat.

STAFF COMMENTS:

This same project was approved by the Planning Commission in 1992. However, it was never constructed and the approval has expired. Later that same year, a conversion of the existing 600 sq. ft. garage was also approved. It was converted into a home office / bedroom. As stated in the application materials, the conversion was instead of the family room addition, which could not be constructed due to monetary limitations. As part of the approval, it was specified that the structure could not have a kitchen and could not be rented out or used separately from the main residence. It is currently being used by a personal caregiver of the property owner. As part of a building permit application last year, the Building Official confirmed that these conditions are still being met.

Referrals were sent to the Building Official, City Engineer and the County Health Department. None had any concerns or objections at this level of review. A standard condition of approval has been included that all conditions of the Building Official must be met prior to building permit issuance and that any grading, drainage and street improvement requirements will be addressed in the building permit.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY

The property where the project is located is zoned UR – Urban Residential. The purpose of this zone is to allow relatively dense residential development; single-family residences are a principally permitted use. The minimum lot size allowed in the UR zone is 8,000 s.f. and the maximum density is one dwelling per 8,000 s.f.

This project is proposed for a 6,000 s.f. lot, less than the minimum lot size. The floor area of the new residence, as defined by the Zoning Ordinance Sec. 17.08.310, will be 1,676 sq. ft., not including the garage. However, the conversion of the 600 sq. ft. garage to a home office / bedroom was only approved as an extension of the residence, not to be used separately. Therefore, the actual square footage of the residence should be considered to be 2,276 after the proposed addition, and it currently stands at 1,898. The house will remain 2-bedrooms (including the garage) and single-story. Other exiting site improvements include an approximately 330 sq. ft. concrete pad and a 2-bdrm septic system. Table 1 below summarizes the project square footages.

Note that I included the lot coverage with both the garage (which is legitimately part of the residence) and the concrete pad, to illustrate the high lot coverage / percentage of impermeable surfaces on this property. Normally the Planning Commission looks at the floor-to-lot area ratio as a measure of the bulk of a structure, regardless of lot coverage (because floor area includes multiple stories if they exist). However, it is also used to help size development appropriately for the size of the lot (i.e. smaller lots get smaller houses and vice versa). The 25% maximum floor-to-lot area ratio guideline is based on a 2,000 sq. ft. house on an 8,000 sq. ft. lot. This is an unwritten policy that the Planning Commission has been using for at least the past seven years.

In this case, it is not the visual bulk of the structure that is troubling, so much as the large footprint compared to the size of the lot. Many lots have larger houses with less lot coverage, because the houses are two-story. Although this same project was previously approved, the garage conversion was subsequently approved. As part of that application, it was stated that the family room would not be constructed, although the staff report for that project did not indicate whether the garage conversion was only approved because the family room had not been constructed. The property does have an approved septic system with 100% reserve area located on it.

TABLE 1

	EXISTING	PROPOSED
LOT AREA	6,000	6,000 sf
FLOOR AREA		
Residence	1,298	1,676 sf
Home Office / Bedroom (Garage)	600 sf	600 sf
Total Residence	1,898 sf	2,276 sf
Concrete Pad	330 sf	330 sf
LOT COVERAGE		
Residence with Garage (bedroom / office)	31.6%	38%
Total, with concrete pad	37.1%	43.4%

For comparison purposes, I am providing you with the following information for the most recent, similar project I can find in Table 2 below. This project was approved, but not unanimously, and there were several objections from the public.

TABLE 2

Item	Area (sq. ft.)	% lot coverage
Lot Size	4,872	NA
House size	1,432	29.4
House Footprint	944	19.4
Total Footprint with other Improvements	1,639	33.6

The City currently has no mechanism to offset increases in impermeable surfaces and only the unwritten policy of the maximum 25% floor-to-lot area ratio to control lot coverage. These are considerations that will be included in the upcoming General Plan update. I am not proposing any additional conditions on this project, although I am hesitant to recommend approval due to the small lot size. This is a good example of the type of situation where including low-impact development designs would have a benefit.

The Urban Residential zone (§17.36.050) requires minimum yards of front 20', rear 15', and side 5' (§ 17.36.060). The parcel faces Ocean Avenue to the west. The plot plan indicates that the required setbacks will be met by the addition and the existing residence. Section 17.56.110 allows eaves and overhangs to extend 2.5' into side yards and 4' into front, street-side and rear yards. Decks and stairways, landings, balconies and uncovered porches are allowed to extend up to eight feet into front, rear or street-side yards and three feet into side yards. For all these applicable features, setbacks will be met as shown on the plot plans.

The maximum height allowed in the UR zone, by Zoning Ordinance § 17.36.06 (average ground level elevation covered by the structure to the highest point of the roof), is 25 feet, except that the Commission may require a lesser height in order to protect views. The maximum height, as shown on the plans, of the proposed structure is 14'-9". The Trinidad General Plan and Zoning Ordinance protect importance public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Because of the project's location, there is minimal potential for any view impacts. The project will not generally be visible from neighboring properties.

The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces other than any garage spaces. The application materials state that there is room for several parking spaces on the property. This project will not impact the parking, or increase the intensity of use on site anyway.

Because the site is almost flat, minimal, grading will be required. This site is already connected to services and utilities. Exterior materials will consist of gray wood siding with blue trim with a composition shingle roof to mach the existing residence.

SLOPE STABILITY:

The property where the proposed project is located is outside of any areas designated as unstable or questionable stability based on Plate 3 of the Trinidad General Plan, and the site is very flat with very little slope.

SEWAGE DISPOSAL:

A new, 2-bdrm septic system was installed on this property in 1992 in anticipation of this project. The tank had to be moved in order to accommodate the addition. There is a

100% reserve area located in the front yard. The County Health Department indicated that they had no objection to the project in response to a referral. The project will not increase the number of bedrooms on the property and will not encroach on the existing septic system. However, due to the conversion of the garage to an extra bedroom and the addition of more space (the family room) that could potentially be used for another bedroom, the standard condition requiring the recordation of a deed restriction limiting the number of bedrooms on the property to two without further City approval has been included.

One thing to consider in terms of the septic system, beside the high lot coverage, is the location of the gutter downspouts from the addition. We generally require that downspouts direct the water away from the septic system. In this case, that may create a problem due to the fact that the two open sides of the addition are adjacent to the septic system. At a minimum, the downspouts should be directed as far away as possible (to the east and north) from septic components if they can not be tied into the existing gutters and the water directed elsewhere. The use of a rain barrel or other appropriate technology should also be considered.

LANDSCAPING AND FENCING:

No tree removal is proposed; no new fencing or landscaping is proposed at this time.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is located within the Coastal Zone and includes an addition to a structure that alters its exterior profile and appearance, §17.60.030 of the Zoning Ordinance requires Design Review and View Protection Findings to be made as well as approval of a Coastal Development Permit. The applicant submitted application materials on April 9, 2007. Application materials show the project location and include a plot plan that shows proposed and existing improvements, and elevations. Required Design Review / View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: Very little grading will be required for this project.

- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project site is not located within, or adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The proposed addition is designed to match the existing residence, consisting of gray wood siding with blue trim with a composition shingle roof
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No changes to existing landscaping are currently proposed. However, it can be found to be unnecessary because the project is consistent with existing surrounding residential development and not in a readily visible location.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No on-premise signs are associated with this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The project will not alter existing service and utility connections
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are associated with this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*
- Response: The proposed addition will result in a residence of that is 2,276 sq.ft., somewhat above (14%) the 2,000 s.f. guideline, and the project is located on a lot

that does not meet the minimum size requirements. Another guideline used by the Planning Commission is a maximum floor area of 25% of the lot area. The proposed residence floor-to-area ratio will be approximately 38%, well above the guideline. However, because the residence is broken up in two buildings, has a low profile, and is not readily visible from neighboring locations, the proposed addition can be found to be consistent and compatible with the existing and surrounding development.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project will not be visible from a beach, trail or open space area.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The proposed addition will not impact public views.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The proposed project, because of its location and size will not negatively impact private views.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, Trinidad Cemetery, Holy Trinity Church or the Memorial Lighthouse.

STAFF RECOMMENDATION:

Based on the above analysis, the project is consistent with the City's Zoning Ordinance and General Plan and other policies and regulations, and the necessary findings for granting approval of the project can be made. Should the Planning Commission find that the Design Review/View Protection Findings can be made, then staff recommends that the Planning Commission approve the project with a motion similar to the following:

Based on application materials, information and findings included in this Staff Report, and based on public testimony, I move to adopt the information and required findings and approve the project as submitted and as conditioned below.

PLANNING COMMISSION ALTERNATIVES

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to place receipt in conditions compliance folder prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, design review approval is for a one-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*
3. Construction related activities are to occur in a manner that will not impact the integrity of the septic system. The leachfield area shall be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the

contractor. If the existing system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The contractor will be required to file a mitigation report for approval by the City and County Health Department prior to permitting additional work to occur. *Responsibility: Building Official to verify prior to building permits being issued and during construction.*

4. Recommended conditions of the City Building Official shall be required to be met as part of the building permit application submittal. Grading, drainage and street improvements will need to be specifically addressed at the time of building permit application. *Responsibility: Building Official prior to building permits being issued.*
5. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures in order to account for water quality considerations. Specific water quality goals include, but are not limited to:
 - a. Limiting sediment loss resulting from construction
 - b. Limiting the extent and duration of land disturbing activities
 - c. Replacing vegetation as soon as possible
 - d. Maintaining natural drainage conditions*Responsibility: Building Official to confirm at time building permits are issued.*
6. The applicant is responsible for submitting proof that a statement on the deed, in a form approved by the City Attorney, has been recorded indicating that any increase in the number of bedrooms above a total of two bedrooms will require City approval of adequate sewage disposal capabilities. *Responsibility: Building Official to verify prior to building permits being issued.*
7. Applicant shall place roof drainage downspouts as far away as possible from septic system tank and leachfields or otherwise direct water away from the septic system. *Responsibility: Building Official to confirm at time building permits are issued.*